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May 1, 2019

**By ECF**

Hon. Denise L. Cote  
United States District Judge  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Re: United States v. John McKinnon  
11 Cr. 768 (DLC)

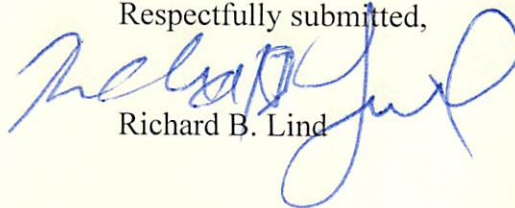
Dear Judge Cote:

I am writing this letter on behalf of defendant John McKinnon, who is scheduled to be sentenced by this Court tomorrow, May 2, 2019, at 9:30 a.m. Yesterday Mr. McKinnon texted me and then telephoned me to request that his sentencing be postponed until May 9, 2019 because he had a proceeding on May 8, 2019 in state court. I requested that he telephone me and also text me with his attorney's contact information so that I could confirm Mr. McKinnon's information.

I did not hear back from Mr. McKinnon; accordingly, early yesterday afternoon I contacted AUSA Jessica Lonergan to obtain the government's point of view, i.e., whether the government consented to, or opposed, the requested adjournment. Initially, Ms. Lonergan stated that it did not oppose the requested adjournment, but wanted to confirm Mr. McKinnon's assertions. I delayed contacting the Court until I heard back from Ms. Loera. She advised me a few minutes ago that Mr. McKinnon does not have a proceeding in state court on May 8 but simply a presentence interview which could be accomplished while he was in federal custody, or could simply await his release from such custody. Accordingly, the government opposes defendant's application.

Thank you for the Court's prompt attention to this request.

Respectfully submitted,



Richard B. Lind

cc: Jessica Lonergan, Esq. (by ECF)  
Probation Officer Gonzalez (by email)